

The Institute for Advanced Study at CEU
cordially invites you to

Symbolic Expression at the International Criminal Tribunal for the Former Yugoslavia (ICTY)

Workshop convened by Marina Aksenova (IAS Junior Fellow) with participation of Judge Howard Morrison (International Criminal Court, former judge at the ICTY) and Professor Renata Uitz (CEU, Legal Studies Department)



The ruins of the ancient library destroyed during the siege of Sarajevo. The old 'Viesnica' was a symbol of the culture of Bosnia and Herzegovina. Before the war collected more than a million ancient books of great value. Photo is courtesy of Livio Senigalliesi.

Time and Date: Thursday, 23 February 2017 from 14.30 to 16.30

Location: Október Hall (1051 Október 6. u. 7. Ground floor)

Program:

1. Artistic performance
2. Presentation of a chapter 'Symbolic Expression at the ICTY' by Marina Aksenova
3. Comments and observations by Judge Howard Morrison (International Criminal Court, ex-ICTY) and Professor Renata Uitz (CEU, Legal Studies Department)
4. Q & A, followed by a reception

Abstract: In 1987 Slobodan Milosevic irreversibly deepened regional ethnic divisions in the Balkans, when, as number two in the Serbian Communist Party, he addressed a crowd of rioting Serbs in Kosovo with the words ‘No one should dare to beat you again’. From that moment onwards the situation escalated quickly. International community had to intervene because local actors proved unable to reach peaceful resolution of mounting tensions. In October 1992, over a year after the atrocities had erupted, the Security Council expressed ‘grave alarm’ at continuing reports about widespread crimes in the region, in particular mass killings and ‘ethnic cleansing’. A few months later the tribunal was established to put an end to those crimes and bring to justice persons responsible for them. The new institution was also called to contribute to the restoration and maintenance of peace. Preparatory works and statements by contemporaries point to one conclusion – at the time of the creation of the ICTY, the conditions were ripe for establishing this kind of forum. The tribunal was instituted on behalf of the community of nations with one overarching aim: condemnation of evil deemed universal. The language of the Security Council resolutions setting up the tribunal demonstrates an intensifying worldwide concern over offenses committed in the course of the Balkan war. The overarching purpose of the ICTY was therefore symbolic as it was created to be a unifying cohesive force upholding the universal value of human dignity through the ritual of criminal prosecutions.

The purpose of the workshop is to discuss symbolic expression at the ICTY, which manifests itself in a number of ways: through the process of its establishment, its institutional design, rhetoric in the judgments, and, finally, through the way in which the ICTY and scholarly community frames its achievements and failures.

Judge Howard Morrison is a judge assigned to the Appeal Division of the International Criminal Court. Judge Morrison, served as a judge at the International Criminal Tribunal for the Former Yugoslavia, since 2009. He previously served as defence counsel at various international tribunals, including at the International Criminal Tribunal for Rwanda (1998–2004), the Special Tribunal for Lebanon (2009) and the International Criminal Tribunal for the Former Yugoslavia (since 2009), where he was a trial judge in the case of Radovan Karadžić. In 2008 he was elected as a Master of the Bench of Grays Inn and a Senior Judge of the Sovereign Base Areas in Cyprus. He has been appointed Queen's Counsel (2001), Circuit judge (2004) and CBE for services to International Law (2007) and KCMG (for services to rule of law) (2015). In the UK, he practised on the Oxford and Midland Circuit in criminal law and worked in courts martial in the UK and Germany. He was appointed a Recorder of the Crown and County Courts with authority to sit in criminal, civil and family law jurisdictions. He has a degree in Law from London University and was called to the Bar of England and Wales in 1977, having studied at INNS of Court School of Law. He is a Hon. Professor of Law at Leicester University as a Senior Fellow of the Lauterpacht centre for International Law (LCIL) at Cambridge University. He holds a Hon. L.L.D. from Leicester University and lectures in International Criminal and Humanitarian Law, world wide.

Marina Aksenova is a fellow at IAS and a postdoctoral research fellow at the Centre of Excellence for International Courts at the Faculty of Law of the University of Copenhagen. Her doctoral thesis ‘Complicity in International Criminal Law’, defended at the European University Institute in Florence in 2014, won an annual Mauro Cappelletti award and has just been published as a monograph with Hart Publishing. She holds a degree in criminology from the University of Oxford and an LLM in international law from the University of Amsterdam. Marina is a practicing lawyer, who has worked at the International Criminal Tribunal for the Former Yugoslavia (2005–2007), international law firm specializing in investment arbitration (2007–2009), and the Extraordinary Chambers in the Courts of Cambodia (2011). She was also engaged in multiple consultancy projects including those involving Colombian civil society actors in conjunction with the peace process negotiations and the defence teams of Guantanamo detainees. She is currently working on a book entitled ‘Symbolism of International Criminal Law’.